

REMARKS

Claims 1 through 24 have been canceled without prejudice or disclaimer of their subject matter, and claims 25 through 31 have been newly added. Thus, claims 25 through 31 are pending in the application.

The drawings have been objected to for the reasons stated in the PTO-948 Form attached to the outstanding Office Action and accordingly, substitute drawings are submitted concurrently herewith. Entry of substitute formal Figures 1 through 3 is respectfully requested.

Claims 1 through 24 have been variously rejected under 35 USC § 102 as anticipated by McClelland *et al.* (U.S. Patent No. 6,330,438) and under 35 USC § 103 as obvious over McClelland *et al.* in view of Khan *et al.* (U.S. Patent No. 5,926,760) for the reasons stated in sections 2-13 on pages 3-14 of the Office Action. By this Amendment, claims 1 through 24 have been canceled without prejudice or disclaimer of their subject matter and new claims 25 through 50 substituted therefor. It is submitted that new claims 25 through 31 are patentable over the cited art for the following reasons:

As noted in the paragraph beginning on line 63 of column 3 and ending on line 12 of column 4 of McClelland *et al.*, the power level of the received voice signal from the mobile unit 62 is measured at the cell cite 64 and **not at the mobile unit 62.**

On the other hand, all of the present independent claims now recite receiving power-related information in a base station of the mobile communication system, the power-related information being related to a received power level of the base station at a mobile station of the mobile communication system and being generated and transmitted from the mobile station to the base station.

Accordingly, since the power level in the present invention is measured in the mobile station and the measured level transmitted to the base station, it is submitted that all of the present claims are patentable over McClelland *et al.*

Furthermore, since Khan *et al.* was merely cited as being related to a private base station operable in a cellular system, and since Khan *et al.* does not teach or suggest the above-noted recited feature of the present invention deficient in McClelland *et al.*, it is submitted that the present claims are patentable over the cited art taken in either alone or in combination.

In addition, the independent claims now recite determining whether the mobile station is registered in the private mobile radio communications system upon a determination that a power level of the mobile station is less than a predetermined reference power level and further recite that information is transmitted for generating an alarm on an occurrence of a

- sell secession only upon a determination that the mobile station is registered in the private
- radio mobile communications system.

The above-noted additional recited feature of the present invention is different from the cited art in that the mobile terminal user is notified of the occurrence of a cell secession only when the cell has seceded from a particular common cell. To perform such an operation, it is necessary to determine if the mobile station is registered in the private radio mobile communications system corresponding to the particular common cell.

Since none of the cited references teach or suggest the above-noted feature, it is submitted that for this additional reason, the present claims are patentable over the cited references.

Additional references were cited by the Examiner but not utilized in the rejection of the claims and accordingly, no further comment on these references is necessary.

No other issues remaining, reconsideration and favorable action upon all of the claims now present in the application is respectfully requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's undersigned attorney.

No fee is incurred by this Amendment.

Respectfully submitted,



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